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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/574,449

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Tom T.J. de Groot

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BRIARCLIFF MANOR, NY 10510

EXAMINER

TRAN, TRANG U

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/574,449

Applicant(s)

DE GROOT ET AL.

Examiner

Trang U. Tran

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS; WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4-11 and 13-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-11 and 13-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1, 4-11 and 13-22 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4-11, 13, 15-18, 20 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Koyama et al (US Patent No. 6,034,737).

In considering claim 1, Koyama et al discloses all the claimed subject matter, note 1) the claimed a tuner configured to receive and separate broadcast video and audio signals is met by the tuner 21 (Fig. 3, col. 3, lines 13-32), 2) the claimed a display screen coupled with a display driver arranged to receive and display video signals from the tuner is met by the CRT 24 (Fig. 3, col. 3, lines 13-32), 3) the claimed a plurality of speakers coupled with audio signal processing means arrange to receive, process and output signals of respective audio channels from the tuner is met by the audio signal processor 26 and right and left speakers 27L, 27R (Fig. 3, col. 3, lines 13-63), and 4) the claimed an input for a further audio signal (the VTR 51 or VDP 52), said input

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coupled to a control and switching means operable to switch (microcomputer 35 and the switches 22, 25) between (1) surround sound operation that, by means of said input, provides a common feed of a center audio channel to the plural speakers is met by the AV amplifier 40 which has the audio processing 44 processes audio signal selected by the switching circuit 43 to enhance the effects of sound field such as surrounding sounds, reverberant sounds, echoes, delays, matrixes, and frequency characteristics, and the switch 25 is connected to the fixed contact e to select the audio signals of the center channel are taken out from the audio processing 44 according to the control signal when the TV set 20 used together with the AV amplifier 40 (Fig. 3, col. 4, line 5 to col. 5, line 67), and (2) operation that bypasses surround sound processing to deliver audio over said plural speakers is met by the switch 25 is connected to the fixed contact d to select the audio signal from the tuner 21 when the TV set 20 used independently (Fig. 3, col. 4, line 5 to col. 5, line 67).

In considering claim 4, the claimed wherein the control and switching means is operable to connect the audio signal processing means for each of the respective channels to said input is met by the microprocessor 35 which generates switching control signals to the switching circuits 22 and 25 (Fig. 3, col. 4, line 5 to col. 5, line 67).

In considering claim 5, the claimed wherein said control and switching means is coupled to said display driver and is further operable to selectively disable video signal display on said display screen is met by the microprocessor 35 which generates switching control signals to the switching circuits 22 and 25 (Fig. 3, col. 4, line 5 to col. 5, line 67).

In considering claim 6, the claimed further comprising user operable input means, wherein said display driver is configured to generate for display a menu of user selectable items including connection of said audio signal processing means to either the tuner or said input is met by the element 36 which is used to receive infrared light signals from a remote controller (Fig. 3, col. 3, line 46 to col. 4, line 31).

In considering claim 7, the claimed coupled with an audio receiver and, via the audio receiver, to the plurality of external speakers (speaker 50L and 50R), wherein the audio receiver has an output for a centre audio channel connected to said input of the television receiver is met by the AV amplifier 40 which has the audio processing 44 processes audio signal selected by the switching circuit 43 to enhance the effects of sound field such as surrounding sounds, reverberant sounds, echoes, delays, matrixes, and frequency characteristics, and has the audio signals of the center channel are taken out from the audio processing 44 input to the TV set 20 (Fig. 3, col. 4, line 5 to col. 5, line 67).

In considering claim 8, the claimed wherein the audio receiver comprises audio signal processing means connected to receive and process audio signals from the television receiver tuner and output at least some of the processed signals on the center audio channel is met by the AV amplifier 40 which has the audio processing 44 processes audio signal selected by the switching circuit 43 to enhance the effects of sound field such as surrounding sounds, reverberant sounds, echoes, delays, matrixes, and frequency characteristics, and has the audio signals of the center channel are taken

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out from the audio processing 44 input to the TV set 20 (Fig. 3, col. 4, line 5 to col. 5, line 67).

In considering claim 9, the claimed further comprising one or more additional audio signal sources connected to the audio receiver is met by the VTR 51 and the VDP 52 (Fig. 3, col. 4, lines 4-50 and col. 5, lines 24-67).

In considering claim 10, the claimed further comprising one or more video plus audio signal sources coupled with the television receiver, the television being configured to pass audio signals from such sources to the audio receiver for processing is met by the VTR 51 and the VDP 52 (Fig. 3, col. 4, lines 4-50 and col. 5, lines 24-67).

In considering claim 11, the claimed further including a user operable input means to enable selection of the audio signal processing means to either the tuner or input is met by the element 36 which is used to receive infrared light signals from a remote controller (Fig. 3, col. 3, line 46 to col. 4, line 31).

In considering claim 13, Koyama et al discloses all the claimed subject matter, note 1) the claimed a tuner configured to receive and separate broadcast video and audio signals is met by the tuner 21 (Fig. 3, col. 3, lines 13-32), 2) the claimed a display screen coupled with a display driver arranged to receive and display video signals from the tuner is met by the CRT 24 (Fig. 3, col. 3, lines 13-32), 3) the claimed one or more internal speakers residing inside the television receiver, coupled with audio processing means and arranged to receive, process and output audio signals from the tuner is met by the audio signal processor 26 and right and left speakers 27L, 27R (Fig. 3, col. 3, lines 13-63), and 4) the claimed an input for a further audio signal (the VTR 51 or VDP

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52), 4) the claimed an input for a further audio signal by which the one or more speakers, if receiving said audio signal, operate as a center channel for a plurality of speakers located externally to, and linked communicatively with, said receiver is met by the AV amplifier 40 which has the audio processing 44 processes audio signal selected by the switching circuit 43 to enhance the effects of sound field such as surrounding sounds, reverberant sounds, echoes, delays, matrixes, and frequency characteristics, and the switch 25 is connected to the fixed contact e to select the audio signals of the center channel are taken out from the audio processing 44 according to the control signal when the TV set 20 used together with the AV amplifier 40 (Fig. 3, col. 4, line 5 to col. 5, line 67), and 5) the claimed control and switching means operable to switch connection of the audio signal processing means from the tuner to said input, and to remove volume level from user control while connection is to said input is met by the switch 25 is connected to the fixed contact e to select the audio signals of the center channel are taken out from the audio processing 44 according to the control signal when the TV set 20 used together with the AV amplifier 40 and the user can controlled the AV amplifier by the remote control transmitter 47 (Fig. 3, col. 4, line 5 to col. 5, line 67).

In considering claim 15, the claimed wherein the tuner is arranged to output audio signals on two or more channels, the receiver comprising a speaker coupled with respective audio signal processing means for each such channel is met by the audio signal processor 26 and right and left speakers 27L, 27R (Fig. 3, col. 3, lines 13-63).

Claim 16 is rejected for the same reason as discussed in claim 5.

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Claim 17 is rejected for the same reason as discussed in claim 7.

Claim 18 is rejected for the same reason as discussed in claim 13.

Claim 20 is rejected for the same reason as discussed in claim 15.

In considering claim 22, the claimed wherein said plural speakers are internal, residing inside the television receiver is met by the right and left speakers 27L, 27R (Fig. 3, col. 3, lines 13-63).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 14, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koyama et al (US Patent No. 6,034,737) in view of Oh et al. (US Patent No. 5,646,699).

In considering claim 14, Koyama et al disclose all the limitations of the instant invention as discussed in claim 13 above, except for providing the claimed wherein the audio signal processing means includes volume control, and the control and switching means fixes operating parameters by setting the volume control to a predetermined fixed level.

Oh et al teach that the audio signal A1 from television signal receiver 32 is amplified in order to generate a single audio signal level from the different audio signals



levels of the television audio signal A1 and the compact disk audio signal A2, accordingly the need for volume regulation is eliminated (Fig. 3, col. 4, lines 8-33).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the single audio signal level as taught by Oh et al into Koyama et al's system in order to avoid the need of remote controller for volume regulation.

Claim 19 is rejected for the same reason as discussed in claim 14.

In considering claim 21, Koyama et al disclose all the limitations of the instant invention as discussed in claim 1 above, except for providing the claimed wherein the bypassing operation affords user control of volume levels of said respective audio channels, whereas said control and switching means sets volume for said center audio channel to a predetermined fixed level under said surround sound operation.

Oh et al teach that the audio signal A1 from television signal receiver 32 is amplified in order to generate a single audio signal level from the different audio signals levels of the television audio signal A1 and the compact disk audio signal A2, accordingly the need for volume regulation is eliminated (Fig. 3, col. 4, lines 8-33).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the single audio signal level as taught by Oh et al into Koyama et al's system in order to avoid the need of remote controller for volume regulation.

### ***Conclusion***

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6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TT TT

December 29, 2005



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